Hib. 5. 668. 1

A NARRATIVE OF THE Settlement and Sale OF IRELAND.

Whereby the Juſt *Engliſh* Adventurer is much prejudiced, the Antient Proprietor deſtroyed, and publick Faith violated; to the great diſcredit of the *Engliſh* Church, and Government, (if not re-called and made void) as being againſt the Principles of Chriſtianity, and true Proteſtancy.

CAMBRIDGE UNIVERSITY 1886 BRADSHAW COLL.

Written in a Letter by a Gentleman in the Country, to a Noble-man at Court.

LOVAIN,
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CAMBRIDGE UNIVERSITY 1886 BRADSHAW COLLECTION

A LETTER.

My LORD,

I Have in obedience to your Lordships Commands, set down in brief, the sad and deplorable state of the *Irish* Nation, and the apparent Injustice, and innequality used in the present Settlement of that Kingdom; which, in my opinion, (as I formerly told your Lordsh p) hath chiefly occasioned the heavy Judgements of God, which our *English* Nation hath sensibly felt these many years last past, and is to be feared, our Sufferings are not yet at an end, if we do not take a speedy course to humble our selves, and appease the wrath of his Divine Majesty, who may punish us farther, with as much Justice, as we have (contrary to all Justice) hitherto oppressed the *Irish*.

It cannot be denyed, but that the Roman Catholicks of *Ireland* have infinitely suffered, during the late Usurped Governments; But they have done it cheerfully, and perhaps not without some comfort; having had all that time, as Companions in Suffering, not only some of the Nobility and Gentry of *England* and *Scotland*, but the King himself, and all the Royal Family; *Ferre quam Sortem patiuntur omnes, Nemo recusat.* But now since His Majesties happy Restauration, and during the universal Jubilee of Joy over all the *British* Monarchy, that the *Irish* alone shou'd be forced to mourn, but condemned to a perpetual Sufferance, far surpassing those they formerly endured under the Government of *Cromwel*; is a Calamity rather to be deplored then expresst. And yet I find very few of our Nation any way touched with a compassion of the Miseries sustained by those their Neighbours, and that the *Irish* are not only vigorously persecuted by their Constant Enemies, but that they are wholly abandoned by their former Friends (I mean their fellow-sufferers for the same Cause) who do

not now concern themſelves in their ſufferings. This conſideration alone, together with the zeal I have always had for Juſtice, and the commiſeration which Nature imprints in every Man, are the motives (next to your Lordſhips commands) which induce me to undertake this ſubject. I ſhall therefore, by ſetting down matter of Fact, and by examining the title of the preſent Poſſeſſors, as alſo of the antient proprietors, diſcovered the wicked Artifices hitherto practiſed, to deprive the *Iriſh* Nation, not only of the benefit of His Majeſties Mercies, but alſo of His Juſtice.

Broghil and *Coot* having by ſeveral Emiſſaries ſent into *England*, felt the Pulſe of the Engliſh Nation; and finding the People generally inclined to concur with the Loyal and Succeſsful endeavours of the Lord General *Monk*, in order to the Reſtauration of His Sacred Majeſty, convoqued a Convention in *Dublin*, of Perſons newly Intereſted in that Kingdom, to conſult upon the beſt and ſafeſt courſe that might be taken to prevent the reſtoring of the *Iriſh* Cavaliers to thoſe Eſtates which the Conventioniſts and their Partizans enjoyed by the Uſurpers bounty, and which they had great reaſon to believe, would be immediately reſtored to the ancient Proprietors upon his Majeſties Re-eſtabliſhment. In order to this reſolution, it was agreed upon, that all the Gentlemen of *Ireland* ſhould be committed to cloſe Priſon, to render them incapable of contributing to His Majeſties Reſtauration, in caſe His Majeſty would chooſe to purſue His Royal Right by dint of Sword, rather then to condeſcend to ſuch diſadvantageous conditions, as the Conventioniſts did hope, and were fully perſwaded would be impoſed upon him by the Parliament of *England*. It was alſo concluded, that a man of Parts and Faction among the Presbyterian Party, ſhould be imployed into *England*, to prepoſſeſs the People there, with the Dangers and inconveniences which the reſtoring of the *Iriſh* Natives to their Antient Eſtates, would infallibly bring upon the new Engliſh Intereſt in that Kingdom. In purſuance to theſe reſolutions, all the Priſons in *Ireland* were filled with the Nobility and Gentry of that Nation, whom no imbecility of Age, nor indiſpoſition of body could excuſe, nor any offered Security anſwer for: Sir *John Clotworthy*, (a man Famous for plundering *Somerſet* Houſe, Murdering the Kings Subjects, and committing many other Treaſons and horrid Crimes,) was diſpatched into *England*. This Perſon, who was always accounted as violent a-

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gainſt the *Iriſh*, as he was known to be Seditious, and ill-affected to Monarchy; No ſooner arriv'd in *London*, than he fill'd the peoples ears with ſuch dreadful ſtories of a new Inſurrection in *Ireland*, (where counterfeited Letters were read on the Exchange and ſeveral Copies diſperſed over all the corners of the City) that His Majeſty was warm in his Fathers Throne, when both Houſes of Parliament (grounding their belief on *Clotworthy's* aſſertion) preſented unto him a Proclamation, to be ſigned againſt the *Iriſh* Papiſts, who were ſaid to be actually in Rebellion, murdering his Majeſties Proteſtant Subjects, violently intruding into other Mens poſſeſſions, with many other Characters of Infamy, rendring them odious to all Nations. This Proclamation was publiſhed in *London* on the Third day of *June* 1660. notwithſtanding that it was very well known at that time, that there was not an *Iriſh* Man in arms in any part of *Ireland*.

Clotworthy, encouraged with the good ſucceſs of his firſt Eſſay, and ſtrengthened by a new landed recruit of Convention Agents (among whom *Broghil* himſelf made one) having obſerved that a general Act of Indempnity was ready to be paſſed to all His Majeſties Subjects, and fearing that the *Iriſh* (if concluded therein) would be conſequently reſtorable to their Eſtates; preſented a *Proviſo* againſt them, to be inſerted in that Act; But this *Proviſo* ſeemed ſo unreaſonable to both Houſes (eſpecially after that His Majeſty had made a Speech to them for comprehending the *Iriſh* in his general and Gracious Pardon (that they were fully reſolved to extend the Act of Oblivion to the *Iriſh* Papiſts, as well as to the reſt of his Majeſties Subjects. But the Conventioniſts, after ſome conference with the * D---- of *O*------ (to whom, as 'tis ſaid, (with

* The D--- of O------ hath added as much to his own ancient Eſtate, by the new ſettlement of *Ireland*, as would have ſatisfied all the Claims of the juſt Adventurers. And *Angleſey* and *Kingſton* little leſs.

what truſt I know not) they offer'd that great Eſtate, and vaſt ſumms of Money which wrought ſo much upon his Grace, that, in the Houſe of Lords he made a Speech againſt comprehending the *Iriſh* Papiſts in the Act of Oblivion, ſaying, that the King had taken that matter into his own hands, notwithſtanding that His Majeſty had but few days before clearly declared himſelf for their being comprehended in his General Pardon: ſo that it was carryed a-

againſt them, to the great aſtoniſhment of all perſons of Honour and Conſcience, that were informed of the corrupt ways whereby they were excluded.

Neither, my Lord, was the excluſion of the *Iriſh* out of the Act of Oblivion, ſo ſatisfactory to the Convention Agents, if all other paſſages to his Majeſties further Graces and Favours were not ſhut up againſt them: And in order thereunto, they prevailed with the firſt Minſter of State (whom they had gained to their ſide, by what coloured Arguments he knows beſt himſelf) to re-call the Commiſſion of Lord Deputy, which was formerly given to the Lord *Roberts*, a perſon of known Honour and Integrity; The Conventioniſts having, obſerved that his Lordſhip was not to be won, upon any account to forward their Deſign. This grand obſtacle being removed out of the way, *Broghil*, *Angleſey*, *Clotworthy*, and *Mervin*, (with the aſſiſtance of *Steel*, *Roberts* and *Petit*) after three Months labour, brought forth that monſtrous iſſue of their brain, which was expoſed to the World under the Name and Title of *His Majeſties moſt Gracious Declaration for the Settlement of* Ireland. This was their Maſter-piece, and hath been ever ſince the ground-work of all ſubſequent Acts which were eſtabliſhed for the farther Settlement of that Nation.

The firſt branch of the Declaration confirms the Adventurer in his poſſeſſion; the Second ſecures the Soldier in his Debenture; the Third ſatisfies the 49 Men; the Forth aſſures unto the Tranſplanted *Iriſh* the Land Decreed unto them in the Province of *Conaught*, and County of *Clare*; The Fifth makes mention of thoſe *Iriſh* Officers who ſerved his Majeſty in *Flanders*, as alſo the Generality of the Nation who pretend to Articles. My Lord, is not this a bleſſed Declaration, which provides in ſo large a manner for ſo many different Intereſts? A Declaration that ſatisfies the Natives, and yet diſpoſſeſſeth none of the *Cromwelliſts*.

To underſtand it well, we muſt mount a little higher, and call to our remembrance how the Rump-Parliament divided the ſpoils of that conquered Nation, in the Year 1653. Ten Counties were allotted to the Adventurers, Twelve conferred on *Cromwel's* Souldiers, and three of the Barren Counties given by way of charity to the tranſplanted *Iriſh*; Theſe, by computation, make up 25 Counties, the remaining ſeven (for *Ireland* contains in all but 32 Counties) together with all the Cities and Corporations of that Kingdom,

Kingdom, were reserved to the Common-wea'th. Now this Declaration confirms the Adventurers, Souldiers, and transplanted *Iriſh* in their preſent poſſeſſions; And moreover, it aſſigns to ſeveral other uſes, the Seven remaining Counties, and all the great Towns of *Ireland*, which were not diſpoſed of by the Commonwealth: One of the Counties being deſigned to ſupply the deficiency of the Adventurers Lots; another, to ſatisfie the Incumbrances on the Lands already laid out to Adventurers and Souldiers; The third to reprize ſuch as were removed from the Lord Duke of *Ormond's* Eſtate; and the other Four Counties, with all the Cities and Corporations of the whole Kingdom, (a pretty grant) being aſſigned to the Proteſtant Officers who ſerv'd His Majeſty in *Ireland* at any time before the year 1649. After this Solemn diviſion and diſtribution made of every Houſe, and every Acre of Land, over all the Kingdom of *Ireland*. Some 500 *Iriſh* Gentlemen (who alſo ſerv'd his Majeſty in *Flanders*) are named in the Declaration, to be forthwith reſtored to their ancient Eſtates; but not, until Lands of equal value, worth and purchaſe, are firſt found out to reprize the Adventurers, Souldiers, and the reſt now in poſſeſſion; a work no more nor leſs feaſible, than the creation of another *Ireland*.

My Lord, this Declaration was publiſhed on the 30*th*. of *November* 1660. and at the ſame time *Broghil* created Earl of *Orery*, and Sir *Charles Coot* made Earl of *Montrath*; were joyned in Commiſſion with the Lord Chancellor *Euſtace*, as his Majeſties Lords Juſtices of that Kingdom; Sir *John Clotworthy* (who was alſo created Lord Viſcount *Maſſerene*) Sir *Audley Mervin*, and ſome others of the Convention-Agents, ſtaid at Court, to draw up privare Inſtructions for the better executing his Majeſties Declaration: And becauſe Innocents, *viz.* Such as never offended his Majeſty, or His Royal Father, were the only people to be reſtored without *previous repriſals*, the Conventioniſts made it their grand work to qualifie an *Innocent*, that it ſhould be Morally impoſſible to find any ſuch in *rerum natura, virum, innocentum quis inveniet*? Eleven qualifications were ordered for their Tryal and thoſe ſo rigid and ſevere, that *Clotworthy* and his Companions (who had the wording of them) did verily believe there could not be a man found in all *Ireland* that ſhould paſs untoucht through ſo many Pikes: For, not only the inoffenſive perſons, who never took Arms, who never

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enter'd into the Confederacy with the reſt of their Countreymen, if they did but pay them the leaſt Contribution out of their Eſtates, if they did but reſide in the *Iriſh* quarters, although in their own own houſes; not only theſe, I ſay, were declared to be no Innocents, but ſuch as lived all the War-time in *England*; ſuch as were with His Majeſty at *Oxford*, and ſerved in his Army, if they received any Rent from their Tenants in *Ireland*, were by virtue of one of the Eleven Qualifications, to be held for Nocents.

But among all the other Qualifications, that of taking an *Engagement* (which was adminiſtred unto all his Majeſties Subjects in the three Kingdoms) was a very notable one; This Engagement was forced upon the *Iriſh* in ſo high a natute, that thoſe who would not take it, were debarred, not only from the benefit of the Law, but alſo expoſed to an innevitable danger of death, the Souldiers of *Cromwels* Army being commanded by publick Proclamation, to kill all they met on the High-way, who carried not a Certificate about him, of having taken that Engagement: Commands which were cruelly executed on ſilly Peaſants, who, out of Ignorance, or want of care, having left their Tickets at home, were barbarouſly murdered by the mercileſs Souldiers: My Lord, it is very remarkable, that they who deviſed this Engagement, who heartily ſubſcribed unto it, and forced others to take it, ſhall not be queſtioned or held criminal; and that thoſe who never ſaw it before it was miniſtered unto them, who abhorred it in their hearts, and were forced to ſign it, to avoid a bloody and violent death, ſhall be declared *Nocents*, and an irrevocable ſentence of loſing their Eſtates given againſt them; and the Eſtates ſo forfeited, to be conferred on thoſe very Perſons who compelled the Proprietors to that Forfeiture. By this Qualification alone, a Man may judge of the reſt.

To Crown this grand work of ſettling *Ireland*, the Conventioniſts (having worded the Declaration and Inſtructions to their own advantage) prevailed with their great Patron, to have themſelves named the only Commiſſioners to put in Execution his Majeſties Declaration for the Settlement of *Ireland*. This un-uſual, and perhaps never before heard of courſe of Juſtice, (one of the parties being made Judge of the Caſe) appeared ſo ugly and terrible to the *Iriſh*, that many of them could hardly be perſwaded to believe, that his Sacred Majeſty was reſtored to the peaceable and free

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poſſeſſeſſion of his Crown and Kingdoms, ſeeing the very ſame perſons who tyranized over them during *Oliver's* Reign, were now not only confirmed in their formed in their former charges, and advanced to places of greater Truſt; but alſo newly Commiſſioned with an unlimited power, to give a final and deciſive Sentence of all the Titles and pretentions of the unfortunate Natives. This prepoſterous way of proceeding, having not only incenſed the intereſſed *Iriſh*, but alſo ſcandalized all the moderate men of *England*, another courſe was judged fit to be taken, leſs ſhameful in appearance, but in effect the very ſame: The new Court of Claims was annulled, and the Lords Juſtices were ordered to call a Parliament, which met on the 8*th*. day of *May* 1661. The Lower Houſe of this Parliament was all compoſed of *Cromwelliſts*, and but very few of the *Iriſh* Peers were admitted to ſit in the Houſe of Lords, under the pretence of former Indictments. This Parliament made the firſt Act of Settlement, which they entitled, *an Act for explaining His Majeſties Declaration for the Settlement of* Ireland. This Act decides all the doubtful expreſſions of the Declaration in favour of the *Cromwelliſts*, and to the diſadvantage of the Natives, it allows only a Twelve-months time for the tryal of *Innocents*; But thoſe *Iriſh* Gentlemen who ſerved His Majeſty abroad, together with the generality of the Nation pretending to Articles, (half a ſcore perſons only excepted, who were particularly provided for) are for ever debarred by this Act, to recover their Eſtates without previous Reprizals, which is a thing not o[illegible] had in nature.

My Lord, I cannot omit minding your Lordſhip of a remarkable expreſſion in the preface of this Act, *that the* Iriſh *Rebels were conquered by His Majeſties Proteſtant Subjects, in his Majeſties abſence.* Theſe *Iriſh* Rebels when they were conquered, fought under the command of the Lord Duke of *Ormond*, His Majeſties Lord Lieutenant in *Ireland*, and after under the command of the Lord Marqueſs of *Clanrickard*, His Majeſties Lord Deputy for that Kingdom; and thoſe Proteſtant Subjects who conquered them, were called *Cromwel*, *Ireton*, *Jones*, *Reynolds*, *Broghil*, *Coot*, *Venables*, *Hewſon*, *Axtel*, &c. Who vigorouſly purſued the *Iriſh* Rebels for no other reaſon, but that they conſtantly denyed the Authority of the pretended Commonwealth, and unalterably adhered to the Intereſt of *Charles Stewart*, (for his Majeſties now *Proteſtant Subjects*

jects were wont, in that time of conqueſt, to call Our Gracious Soveraign ;) but now adayes they ſing another note, and ſpeak quite another language ; having eſtabliſhed for a fundamental Law, *that the* Iriſh *Rebels were conquered by his Majeſties Proteſtant Subjects in his Majeſties abſence.* This being paſſed, and the Royal aſſent given to it, Sir *Richard Rainsford*, and the reſt of the Commiſſioners appointed by his Majeſty to decide the claims of the *Iriſh*, in purſuance of this Act, landed in *Dublin*, about the of 1662. And having ſome time to ſtudy the Act, they plainly underſtood, that none of the unfortunate Natives could be reſtored to their Eſtates, but the Ten perſons who had particular proviſo's inſerted therein, and ſuch others as would prove their Innocence in open Court. The Commiſſioners began their firſt Seſſion on the day of *February*, and the Court continued until the of *Auguſt* following. During this time the Claims of near upon a thouſand *Iriſh* were heard, whereof the one half were declared Innocents, notwithſtanding all the rigid Qualifications againſt them.

The time limited for ajudging Innocents being expired, Sir *Richard Rainsford* (a moſt juſt and upright man) would proceed no farther, expecting an enlargement of time to hear out the reſt, who were 7000 in number, and who had as much reaſon to pretend a title to their Eſtates, (until they were heard, and condemned) as thoſe who were already judged ; For every man is to be held Innocent until he be convicted, and eſpecially thoſe who durſt venture upon ſo ſevere a tryal: For, that part of the Nation (which was involved in the War) did not pretend to Innocence, but claim the benefit of Articles. But this enlargement of time being flatly denyed by the firſt Miniſter of State, the Court of Claims was at an end, the intereſſed party made Judges by *Clarendon*, and indifferent men not admitted, and the Parliament prepared an aditional Bill of Settlement, which came into *England* in the of *May*, 1664.

In the Province of *Ulſter*, but Three of the Natives reſtored, *viz.* My Lord of *Antrim*, Sir *Henry O-Neil*, and one more of an inconſiderable Eſtate. In the Province of *Conaught*, but Four *viz.* the Earl of *Clanrickard*, Lord of *Mayo*, Coll. *John Kelley*, and Coll. *Moor*.

Which the Natives call the black Bill.

By

By this additional Act, it is decreed, that no benefit of Innocency, or Articles, shall be allowed from henceforth, to any of the *Irish* Natives. The words of the Text, *pag.* 8. *l.* 22. are these; *And it is hereby declared, that no Person or Persons, who by the qualifications in the said former Act, hath not been adjudged innocent, shall at any time hereafter be reputed Innocent, so as to claim any Lands or Tenements hereby vested; or be admitted to have any benefit or allowance of any future adjudications of Innocence, or any benefit of Articles whatsoever.*

To salve this grand breach of publick Faith, the Law of God, and Nations, and to give some colour of Justice, to an action which is evidently repugnant to *Magna Charta*, and the Fundamental Laws of *England* (to condemn so many thousands before they are heard) it is ordered by the same Act, that some Fifty four persons of the Nobility and Gentry of *Ireland*, (who likely deserved his Majesties particular favour, and whose names are specified in the Act) shall be restored unto their several and respective principal Seats, and unto 2000 Acres of Land thereto adjoyning; provided always, that the Adventurers, Souldiers, and 49 men who are to be removed, shall be first satisfied by some other forfeited Lands, in equal value, worth, and purchase; The transplanted *Irish* are purposely left by this Act upon very doubtful terms, that in case of necessity (if the stock of Reprizals should fall short) their present possessions might serve to Reprize the Adventurers, Souldiers, 49 Men, and Grantees already removed by the restored Innocents, and the Ten Proviso-men in the former Act, or to be removed by the *nominees*, and some three or four persons more particularly provided for in this additional Act. The Forty Nine men are expressly forbidden by this Act, to set or Let by way of Lease, or otherwise any part of their Lots within the walled Towns and Corporations, or at a certain distance thereunto: to any *Irish* Papists, under the penalty of loosing what is Let, and forfeiting as much more, there is a general Clause in the Act, that all Clauses and provisoes therein contained, which admit any doubtful expression, shall be always construed to the advantage and favour of the English Protestants, and several other provisons are made, all tending to the designed extirpation of the Natives.

This deſtructive Act, after many long conſultations, wherein the firſt Miniſter of State did always imploy the utmoſt of his uncontrouled power, to countenance the *Cromwellian* party, and the Kings Solicitor General (who had the penning of the Act, made uſe of his Rhetorick and Knowledge in the Law, to plead in their behalf, (the favour of the one being eaſily gained, at the rate of ſeveral vaſt ſums of ready money, and the promiſe of an Eſtate of 6000 *l.* a year for his Son; and the pains of the other, being modeſtly rewarded by a ſmall Fee of 8000 *l. ſterl.*) This Act, I ſay, ſo well ſupported, was Signed and Sealed at *Salisbury* on the 25*th* of *July* 1665. (notwithſtanding all the oppoſition given thereunto,) and this in a time when the hand of God viſibly appeared in the great Mortality, which then began to increaſe in the City of *London*; and when I heard many moderate men ſay, *we are juſtly puniſhed by God, for the injuſtice done to the* Iriſh. It is now more than two years ſince the Act went over into *Ireland*, and the 52 Nominees who were to be reſtored (as they verily believed) to their chief houſes, and 2000 Acres of Land, have not yet got the poſſeſſion of a Cottage, or of one Acre of Ground; which agrees very well with *Ororye*'s railery lately expreſſed; *That it was intended by the Act, that they ſhould be only Nominees*, nomine *reſtorable, but not* re, *for that was never intended*; and yet the ſame *Ororry* aſſured to the King, that there was a ſufficient ſtock of Repriſals to ſatisfie all Intereſts.

My Lord, this is the true ſtate, in brief, of the *Iriſh* Caſe, as to matter of Fact, ſince the firſt day of his Majeſties moſt happy Reſtauration, to this Inſtant. Let us now examine matter of Right, and ſee what Title the ſeveral Intereſts obſtructing the re eſtabliſhment of the *Iriſh* can juſtly pretend to the Eſtates of the diſtreſſed Natives. Theſe different Intereſts can be reduced to four principal ones; the firſt is, that of the Adventurers, the ſecond of the Souldiers, the third of the Forty nine Men and the fourth of the *Grantees*; We will begin with the Adventurers.

Theſe are certain Inhabitants of *London*, who in the year 1641. pretended to venture their monies to reduce the Rebels in *Ireland*, (but intended, as afterwards appeared, to deſtroy the King) upon the aſſurance of getting ſuch a quantity of the Rebels Lands in proportion to the ſums they laid out, and in purſuance of an Act of our Engliſh Parliament, which then paſſed to that effect.

By

By which Act, it is ordered that the mony ſo laid out, ſhould be employed in the Service of *Ireland*; and that, (after the Rebels were declared by both houſes to be wholly conquered) a Commiſſion ſhould iſſue forth under the great Seal of *England*, to make a ſtrict enquiry through all the Counties of *Ireland*, of Eſtates forfeited by the Rebellion, to be diſpoſed of for the ſatisfaction of the Adventurers. Neither of theſe conditions were hitherto obſerved, for the money laid out, was all, (or at leaſt, for the greateſt part) imployed to buy arms and ammunition to fight againſt his Majeſty in *England*. The Rebels were never yet declared by both Houſes of Parliament to have been conquered, nor any Commiſſion iſſued forth under the Great Seal of *England*, to enquire after Forfeitures: It is true, that the remaining Members of the Houſe of Commons, made an Ordinance in the year 1652. (without the concurrence of the Houſe of Lords) that the Rebels were wholly conquered; And that conſequently aſſigned Ten Counties to the Adventurers, without iſſuing forth any Commiſſion under the great Seal of *England*, to examine whether the Lands therein contained were forfeited or no. Of theſe ten Counties, the Adventurers of the doubling Ordinance (who were to have for their reſpective Sums laid out, double the quantity of Land aſſigned to the firſt adventurers) have proportion, becauſe their money was given to the long Parliament in the year 1644. When they were in actual Rebellion againſt His Majeſty.

The late King underſtood very well the nullity of this act having never made mention of the adventurers intereſt in all the Treaties of Peace which paſs'd between His Majeſty and the Confederates in *Ireland*; which certainly ſo juſt a Prince as *Charles* the Firſt was known to be, would never have done, if he had conceived himſelf any way obliged by that act to provide for them. But ſuppoſing that the act of *decimo ſeptimo Caroli* in the behalf of the *London* adventurers, had not been defective; can thoſe of the doubling Ordinance expect any benefit by that Law? Can the firſt adventurers whoſe Moneys were diſpoſed to other uſes than the relief of the Proteſtants in *Ireland*, pretend any advantage by that act? nay, can thoſe few Perſons of the firſt Rank (whom we call the juſt adventurers, and whoſe moneys were really imployed in the *Iriſh* War) lawfully enjoy the *Iriſh* Land, until the Rebels be declared by the two Houſes of Parliament to be wholly con-

conquered; until a Commiſſion iſſues forth under the great Seal of *England* to examine who are the Rebels, and who are Innocents; and until, after the performing theſe eſſential Formalities required by the Act, they receive by a juſt and legal way of proceeding, their reſpective Proportions of the Forfeited Eſtates?

The firſt Miniſter of State (a Lawyer by his firſt profeſſion) cannot be ignorant of theſe varieties; eſpecially when he perſwades his Royal Maſter to ſpeak after this manner, in his Declaration for the Settlement of *Ireland*, pag. 7. *Therefore in the firſt place, in order to the ſettlement of that Intereſt claimed by the Adventurers, although the preſent Eſtates and Poſſeſſions they enjoy, if they were examined by the ſtrict Letter of the Law, would prove very defective and invalid, as being no ways purſuant to thoſe Acts of Parliament upon which they pretend to be found, but rather ſeem to be a ſtructure upon their ſubſequent aſſent, both to the different* Mediums *and ends, than the obſervance of thoſe; yet who being always more ready to conſult*, &c. Can any thing be ſpoken more plain to prove the nullity of the Adventurers Title by the Act of 17. *Car.* 1? And could the ſupream Judge of the Court of Equity give a more unjuſt ſentence, than to ſay, although this Party can pretend no right to the Eſtate in queſtion, yet I am pleaſed to adjudge it for him? The matter in diſpute is no leſs than the land of ten Counties, the parties pretending are the *Iriſh* Proprietors, and the *London* Adventurers: The firſt enjoyed it for ſo many ages, they have their Patents and Evidences to ſhew for it, and they loſt it at length upon the account of Loyalty, fighing for the Kings Intereſt againſt the Murderers of his Royal Father: the laſt (as 'tis acknowledged by the words of the Text) have no other Title but what they derive from the Ordinance of an uſurped Government, for having diſburſed vaſt ſums of Money to countenance Rebellion, to pull down Monarchy, and put up a pretended Common-wealth. And yet the Land is adjudged for them, and confirmed to them and their Heirs for ever:

The Second main Intereſt obſtructing the Reſtoration of the *Iriſh*, is that of *Cromwel's* Souldiers, who are not mentioned in the Act of 17 *Caroli*; neither indeed do they pretend any other Title to their Eſtates, but that of the Sword, which they have always imployed againſt the late King, and his preſent Majeſty, enjoying as a Sallary for their ſervice, all the *Iriſh* Eſtates in twelve Counties.

ties. I do not think any man will be ſo impudent as to juſtifie this prodigious Title ; I am ſure their greateſt Patrons never durſt ſay, they were *juſt*, but they ſaid very often, it was convenient to confirm them in poſſeſſion of other Mens Land. And perhaps we ſhall not find many other States-men (among the Followers of the Goſpel) who will allow a *conveniency* ſo apparent againſt Juſtice : *Ruat Cœlum & fiat Juſticia*, is a *Motto* which better becomes a Lord Chancellour ; Then, let us not do what is juſt, but what is convenient.

It is indeed a moſt wonderful conveniency to diſpoſſeſs the Ancient Proprietor who Fought for the King, and give his Eſtate to a Fanatick Souldier who Fought for *Cromwel*.

To ſuppor this pretended Conveniency, the firſt Miniſter of State made uſe of a ſtrong Argument, derived from the great power of the *Cromwelliſts* in *Ireland* ; and thus he makes it out :

The Engliſh Army is very conſiderable now in *Ireland*, they have Swords in their hands, and they are in poſſeſſion of all the great Towns, and ſtrong holds in that Kingdom, it is not therefore ſafe to irritate them ; Nay, there is an abſolute neceſſity (as the caſe ſtands) to confirm them in their preſent poſſeſſions , For we muſt not do what is juſt, but what is is convenient. Theſe words were often delivered in Councel, as ſo many Oracles, and perhaps the greater Stateſman did not ſeriouſly reflect, whether the ſame Argument might not ſerve as well to confirm all the *Cromwelliſts* in *England*, in their unlawful Acquiſitions of the Crown and Church-Lands, and ſo many Cavaliers Eſtates, whereof they were diſpoſſeſſed upon his Majeſties Reſtauration, without any great noiſe, and leſs danger ; and yet they were then very conſiderable : They had Swords in their hands, and they were in poſſeſſion of all the ſtrong holds of the Kingdom, *&c.*

My Lord, I have been all over the Kingdom of *Ireland*, and aſſure your Lordſhip, that the old Inhabitants and Natives of *Ireland*, are Ten for one, and far the more conſiderable Party ; But large Sums have made that corrupt Miniſter ſay any thing that ſeemed advantagious to ſupport that other Intereſt : I am confident, My Lord, admitting them as inconſiderable as he would have them, it cannot be half ſo formidable, as the power of that party was in *England* when the King came in. Theſe were all diſbanded in leſs then Six Months time, and now 'tis more than Seven

years,

years, that the Fanatick Army is maintained in *Ireland* without any neceſſity, which, occaſions that his Majeſty receives no Revenue out of that vaſt and fertil Kingdom; Nay, he is obliged to ſend yearly a conſiderable ſum of Money out of *England*, for the maintenance of that Army: For my part I cannot nnderſtand how the King might ſafely reduce the Engliſh Army, and that it ſhould be dangerous for him to disband the *Iriſh* Forces, who were not half ſo numerous, nor ſo much to be feared as thoſe in *England*. If the want of Money hindred their disbanding at once with their Brethren in *England* and *Scotland*; might not they reduce by degrees, and by Regiments, in eight years time? I think it is ſufficiently evidenced that the *Cromwellian* party in *Ireland* have no more power than what his Majeſty hitherto is pleaſed to grant them, by the advice of his firſt Miniſter, who upholds that Fanatick Army for his own ſordid, if not wicked ends. Let that Favourite that perſwades his Maſter to tolerate Injuſtice and Oppreſſion, upon the account of a Servile Fear, have a care that he be not one day convinced either of ignorance. *Rex eſt qui poſuit metus, & diramala pectoris, quem non ambitio popularis, & nunquam ſtabilis faveur Vulgi præcipitis movet.*

The third grand intereſt, and the moſt deſtructive to the Natives, is that of the Proteſtant Officers, who ſerved his Majeſty (or the Parliament) in *Ireland*, before the year 1649. Whoſe arrears have been caſt up, and ſtated to the vaſt ſum of Eighteen hundred thouſand pounds *ſterl.* in ſatisfaction whereof, the part of a whole Kingdom (which certainly is worth many Millions) is conferred upon them. They are entitled to all the Natives Eſtates in four great Counties, to all the Cities, Corporations, and Walled Towns in *Ireland*, to all the Land ſituated within a mile to the Sea, and to the River of *Shanon* in the Province of *Conaught*, and County of *Clare*, to all the Debts, Leaſes, Mortgages, and the Reverſions of the *Iriſh*; for not only the real Eſtates, but alſo all other pretenſions and Titles of the unhappy Natives are forfeited: And leeſt all this ſhould come ſhort to content this inſatiable Party, the laſt act allows them one hundred thouſand pounds out of the two half years Rent from Adventurers, Souldiers, and reſtored *Iriſh*. Though the *Roman* Catholick Officers have always faithfully adhered to the Kings Intereſt, and never deſerted his ſervice (as all, or moſt of theſe Proteſtant Officers in *Ireland* have

have done, when the Uſurper prevailed) yet they being Papiſts, diſables them from any ſatisfaction for their ſervice, which was a Qualification not impoſed on the Catholicks in *England*, &c. But ſince the Ceſſation of Arms concluded in the year 1643. There was no more fighting between his Majeſties Proteſtant, and *Roman* Catholick Subjects, which makes a great difference between their Loyalty in the point of merit, and that of our Cavaliers in *England*, who, out of a generous reſolution, without any neceſſity, or conſideration of private Intereſt, did freely embrace his Majeſties Quarrel, ſiding always with the beſt, although weakeſt party, which they maintained, for the ſpace of Six years, at their own charges, with the loſs of ſo many thouſand brave lives, who were all ſacrificed as unſpotted Victims on the Altar of Loyalty. How comes it then to paſs, that a handful of *Iriſh* Proteſtants ſhould be allowed 1800000 *l.* for two years ſervice, and that our EngliſhRoyaliſts, who were a hundred times more numerous continued thrice longer in ſerving the King and whoſe pure Loyalty was never tainted with the mixture of any treachery or private Intereſt, ſhould get among them all, without diſtinction of Nation or Religion, but 70000 *l.* to be diſtributed among the Needy Cavaliers, (who had neither Eſtates of their own, nor any publick Chrges or imployments) to keep them from ſtarving? Upon what account ſhould the Officers of the Four or five Garriſons in *Ireland* that plundered ten times more then their pay came to, enjoy four large Counties, and all the great Towns and Corporations of a Kingdom, whilſt the whole body of the Royalliſts in *England* are ſo much ſlighted that there is not one Pariſh in the Country, nor Street in any City, conferred upon them? Will not the *Iriſh* Forty nine Men allow us, that Prince *Rupert*, the Duke of *Newcaſtle*, *Montroſs*, *Briſtol*, *Barkley*, *Middleton*, *Rocheſter*, *Gerard*, and ſeveral other Noblemen of *England* and *Scotland*, deſerve to have their Arrears ſtated and ſatisfied, as well as the Grandees of *Ireland*? Is there any conveniency, (for I am ſure there can be no Juſtice) to provide for the one and not for the other? It cannot be ſaid that his Majeſty is obliged by the Act of 17. *Car.* by his Declaration from *Breda*, or any other Covenant, to recompence in ſo large a manner, the mercenary ſervice of his Proteſtant Officers in *Ireland*, without any regard to be had for the innumerable Sufferings, and preſent want of ſo many Indigent Cavaliers

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in *England*, who have not bread to eat, nor a houſe to lye in, and ſcarce a Rag to cover their Nakedneſs.

To give ſome colour to this apparent partiality, the firſt Miniſter of State is forced to betake himſelf to his laſt refuge, telling, as for a final reaſon, that the Proteſtant Engliſh Intereſt cannot by maintained in *Ireland*, without extirpating the Natives. And therefore, that the Counties and Corperations undiſpoſed of by the Commonwealth, muſt not be reſtored to the Natives upon any account. The preſervation of this Intereſt is now become *ultima ratio*, and the *non plus ultra* to all political Debates; and ſeeing the Learned Gown-man will needs eſtabliſh it for a firſt Principle not to be denyed, is not amiſs to conſider more attentively this Idol, that occaſions ſo much impiety. As for the Proteſtant Intereſt, I muſt confeſs his Majeſties bound to maintain it in all his Kingdoms and Dominions, as far forth as the Glory of God requires, and the Law of Nations, and the ſeveral Conſtitutions of particular places will admit. Certainly, no Man (though never ſo zealous,) will ſay, that his Majeſty was obliged, when he held the Town of *Dunkirk* in *Flanders*, to expiate the ancient Inhabitants, and place new Engliſh Colonies in their room, for the preſervation of a Proteſtant Intereſt. True Religion was ever yet planted by preaching and good example, not by violence and oppreſſion: An unjuſt intruſion into the Neighbours Eſtate, is not the right way to convert the ancient Proprietors, who will hardly be induced to embrace a Religion, whoſe Profeſſors have done them ſo much injuſtice: And as to the preſent Settlement of *Ireland*, it is apparent to the World, that the Confiſcation of Eſtates, and not the Converſion of Souls, is the only thing aimed at. If by the Engliſh Intereſt we underſtand the preſent Poſſeſſion of the *London* Adventurers, and of *Cromwel's* Souldiers, there is no doubt it is inconſiſtent with the reſtoration of the *Iriſh*; neither can the New Engliſh Title to Land be well maintained, without deſtroying the old Title of the Natives; even as the Intereſt of the late Common-wealth was incompatible with Monarchy, and *Cromwels* Protectorſhip was inconſiſtent with the Kings Government But, if by the Engliſh Intereſt, we underſtand (as we ought to do) the Intereſt of the Crown and Cavaliers of *England*, I ſee no reaſon why it might not be preſerved in *Ireland* for 500 years to come) as well it was preſerved there for 500 years paſt, without

without extirpating the Natives. Why could not the Engliſh Intereſt be maintained in *Ireland*, without extirpation, as well as the *Spaniſh* Intereſt is preſerved in *Naples* and *Flanders*; the *French* Intereſt in *Roſſilignion* and *Alſace*; the *Swediſh* Intereſt in *Breme* and *Pomerland*; the *Daniſh* Intereſt in *Norway*; the *Auſtrian* Intereſt in *Hungary*; the *Venetian* Intereſt in *Dalmatia*; and the *Ottoman* Intereſt over all *Greece*; and ſo many other Chriſtian Provinces, without diſpoſſeſſing the Antient Inhabitants of their Patrimonies and Birth-rights? Forts, Cittadels, Armies, and Garriſons, Puniſhment and Reward, were hitherto held the only lawful means for the Chriſtian Princes to maintain their Authority, and ſecure their Intereſt: Such an extirpation was never yet practiſed by any Prince that followed the Law of the Gospel.

But, ſuppoſing that the preſervation of an Engliſh Intereſt were ſo ſacred a thing, that it may be held lawful in that regard to extirpate the old Inhabitants of *Ireland*, who have received from the hand of God that Portion of the Earth for their Inhabitants; upon what colour of Title can our rigid Stateſman deſign the extirpation of ſo many Families in *Ireland*, or the Engliſh race and Extraction, lineally deſcended from the beſt Families in *England*, and thoſe Antient *Engliſh* Colonies who firſt brought over that Intereſt into *Ireland*, and maintained it there for ſo many Ages? If this *Cannibal* Engliſh Intereſt, gives no better quarter to the Children of Engliſh in *Ireland*, what can Strangers expect? Nay, what aſſurance can be had for the proſperity of thoſe very Adventurers and Souldiers, that after an Age or two they ſhall not be likewiſe devoured, or diſplaced to make room for a new ſwarm of Engliſh Planters, upon the account of ſecuring a new Engliſh Intereſt: And thoſe new Colonies alſo within an Age after, ſhall extirpated upon the ſame ſcore; For the Children of thoſe who were planted in *Ireland*, about the beginning of King *James* his Reign, are now deſtroyed, for the better ſecurity of an Engliſh Intereſt, as well as the poſterity of the firſt Engliſh, who Invaded the Country in the days of King *Henry* the Second; ſo that to the Worlds end, if we follow this Rule, we ſhall never be able to ſecure the Engliſh Intereſt in the Kingdom of *Ireland*.

The Grandees are the Fourth and laſt in order, that obſtruct the Reſtoration of the Iriſh Natives: Their Title is ſoon examined, being only founded on the Kings free Grant; for it cannot be ſaid

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that His Majesty was bound by any former obligation, or pretended conveniency, to confer on his Courtiers and Favourites the Land of other People. Can there be any conveniency (not to speak of Justice) that the Kings only Brother, and Heir apparent to three Crowns, should enjoy so many thousands a year in *Ireland* of poor Gentlemens Estates, whereof some had the honour to serve under his Command in Foreign Countreys? And is it fit to expose his Royal Highness and his Princely Posterity to the many inconveniencies, and heavy Judgements which commonly follow illegal and unjust acquisitions? It is a remarkable passage, that *Miles Corber* and other Regicides, who went over into *Ireland*, got a large proportion of *Irish* Land, for no other service, but the execrable Sentence of Death which they gave against our late Soveraign, and that the Duke of *York* should now enjoy all that Land, by no other Title but that of the Regicides. The Land was given them by a Tyrant, for murthering the King, let the World judge of the goodness of their Title; certainly whosoever comes to inherit them, can have no better. I shall make no mention here of so many Courtiers of a lesser Sphere, who have got vast Estates in *Ireland*, by his Majesties free Gift, and whom the first Ministers of State have purposely interressed in that Kingdom, to engage them against the Natives; whereby the Restoration of the *Irish* is rendred impossible, and the satisfaction of Adventurers and Souldiers already disposed by the Decrees of the last Court of Claims, is much obstructed, so many fresh Grants exhausting the stock of Reprisals.

My Lord, I have hitherto set down in brief the hard usage extended to the *Irish* since his Majestics Re-establishment, and examined the Title of the several Interests obstructing their Restoration. Now it remains to say somewhat of the undoubted right, and indisputable Claim of the Natives, to those Estates which by *Cromwels* Decree, and his Majesties confirmation, are kept from them.

I will not take upon me to justifie their first rising, (although I have seen a Treatise in Latin proving the lawfulness, or rather the necessity, of that War on their side, having begun it in their own defence, to prevent the general ruin and destruction designed against the Kindom and themselves (by the Presbyterian party both in *England* and *Scotland*) I shall not excuse any Subjects pre-

presuming to take Arms, upon any account or pretence whatsoever, without the Authority of their Prince; I will only say, that by their Insurrection (how bloody and barbarous soever some are pleased to print and paint it) four hundred English could not be found murdered in *Ireland*, as appeareth by the proceedings (and Records yet extant in *Dublin*) of the Usurped Powers severe inquiry, and their Court of Justice, that for want of Men did hang Women, not only without legal proof, but without probability that they could or would be guilty of killing Souldiers, or Innocent *English*. The *Irish* insurrection, I say, hath not been accompanied with that Insolence and Malice in the beginning, nor with those sad and dismal effects in the end, which other Rebellions have been guilty of, and some Pamphlets have charged the *Irish* with. They were scarce 22 Months in Arms, when they yielded to a Cessation upon the first notice given of his Majesties pleasure, although they had then the upper hand of their Enemies; and it was known the Protestant party could not be well preserved without it. This Cessation was enlarged from time to time, until a final Peace was solemnly concluded in the City of *Kilkenny*, in the year of our Lord 1648 by, and between the Lord Duke of *Ormond*, his Majesties Commissioner, in the behalf of his Majesty; and the General Assembly of the Confederate Catholicks of *Ireland*, in the behalf of the said Confederate Catholicks. This peace was no sooner published, than all the Garrisons, Forts, Citadels Strong-holds, and Magazines of the *Irish*, were put under the Command of the Kings Lieutenant; all the Nobility, Gentry, and Magistrates, both in Cities and Country submitted to his Government. And though the English Rebels have been ever since very successful in all their attempts, yet the *Irish*, notwithstanding they were offered any conditions by the Usurper, held out, with an undaunted Courage, until the last Town, and the last Fortress was lost, and until they received express Orders from his Majesty to yield to the times, and to make the best conditions they could for their own preservation. It is remarkable, that this peace was concluded in a time, when the *Irish* Nation was in a most flourishing condition, having Armies in the Field, and most of the Cities and great Towns in their possessions, and more than three parts of the Kingdom under their command, when they were courted by the Parliament of *England*, and solicited, by

ſome Neighbouring Potentates, and when by eſpouſing his Majeſties quarrel, (who was then deſtitute of all humane ſupport) they were to draw on their Country all their united Force and Power of the victorious Rebels in *England* and *Scotland*, and conſequently expoſe themſelves and their Poſterity to the danger of an unevitable ruin and deſtruction.

I know their Adverſaries have practiſed all the artifice that Malice could invent, to perſwade the World, that his Majeſty is no way obliged to make good that peace which was concluded by the Authority of his Royal Father. And Solemnly confirmed by himſelf. Thoſe Articles, they ſay, were forced from His Majeſty by the *Iriſh* Confederates who ought to looſe the benefit of all his Majeſties gracious conceſſions, having baniſhed the Lord Duke *Ormond*, His Majeſties Lieutenant, out of *Ireland*. It is eaſily proved, that the King was forced to take the Solemn League and Covenant, when he was environed by the Presbyteriam Army in *Scotland*: But I do not underſtand how it can be made out, that the Confederates of *Ireland* were able to exort that peace from his Majeſty, who was then in *France*. It will ſeem very ridiculous to ſay, that the Lord Marqueſs of *Antrim*, and the Lord *Muskry* (imploy'd by the Confederate Catholicks, to ſolicit, in a moſt humble manner, for thoſe Articles which only contain a pardon for the paſt, and the liberty of Free-born Subjects for the future) ſhould come to *Paris* with a train ſufficient to force a Sovereign Prince, lodged in the *Louvre*, who was Couſin German to his moſt Chriſtian Majeſty. The other Aſſertion, that the Lord Duke of *Ormond* was baniſhed out of *Ireland* by the Confederates, is very falſe; His Lordſhip being driven out of the provinces of *Leinſter* and *Munſter*, by the power of *Cromwels* Army, and forced to retire to the province of *Connaught*, from whence he took Shipping for *France*, to inform the Queens Majeſty of the ſad condition of that Kingdom, and to implore ſome ſuccour from abroad, (which if timely obtained) might probably give a ſtop to *Cromwels* conqueſt, and render him unable to bring his victorious Forces out of *Ireland*, and defeat his Majeſty at *Worceſter*, His Lordſhip having appointed the Lord Marqueſs of *Clanrickard* to Command in his abſence, as the Kings Deputy, to whom the Nation ſhewed all due obedience and ſubmiſſion) is a manifeſt argument that his Lordſhip was not baniſhed out of the Kingdom

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by the Confederate Catholiks; for whom he named a Commander in his own abſence: neither can it reflect upon the generality of the Nation, what was decreed by ſome prelates convened in *Jameſtown*, whoſe unſeaſonable zeal was ſoon after condemned, and proteſted againſt by a general Aſſembly held in *Loghreagh*, of the Clergy, Nobility, and Gentry of the whole Kingdom. And the advantagious propoſals then made by *Cromwels* Agents, were generouſly rejected by that Aſſembly, the Nation having unanimouſly reſolved to riſe or fall with the Kings Intereſt. But what need we any other Evidence to prove that the Iriſh did not generally violate the Articles of that peace, then His Majeſties own words, in the preamble of his Declaration for the Settlement of *Ireland*. *And therefore we could not but hold our ſelf obliged to perform what we owe by that peace to thoſe who had honeſtly and faithfully performed what they had promiſed to us*, &c.

The *Iriſh* being at the laſt over-power'd at home, though they loſt their Countrey, they did not fail in their Loyalty, moſt of their young Nobility and Gentry having followed his Majeſty into Forreign Countries, and reſorted from all parts to ſide with thoſe Princes who favoured his Intereſt; when the King was in *France*, they quitted the *Spaniſh* ſervice; and when he came to *Flanders*, they abandoned the *French* ſervice, and flocked in great numbers about his Royal Perſon, having made up in ſhort time, a handſome body of an Army, which rendred his Majeſty conſiderable to his Friends abroad, and dreadful to his Enemies at home. Theſe are verities that none dare impugn, ſeeing the King himſelf is moſt graciouſly pleaſed to own them in his Declaration. *And in the firſt place, we did, and muſt always remember the great affection a conſiderable part of that Nation expreſſed to Us during the time of our being beyond the Seas, when with all cheerfulneſs and obedience they received, and ſubmitted to our Orders, and betook themſelves to that ſervice which we directed as moſt convenient and behooveful at that time to us, though attended with inconveniency enough to themſelves: which demeanour of theirs, cannot but be thought very worthy of our Protection, Juſtice and Favour.*

My Lord, Is it not a ſad caſe, that the *Iriſh* Nation who ſacrificed their Lives, their Eſtates and Fortunes, and all the Intereſt they had in their Country for the Kings ſervice, who followed his Majeſty abroad, and ſtuck to him in his Baniſhment, when he

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was abandoned almoſt by all the reſt of his Subjects in the three Kingdoms, ſhould now be in a far worſe condition, than they were reduced unto, during the Uſurpers Reign? For then their Eſtates were kept from them by violence, and the un-reſiſtable power of *Cromwel's* Army; but now they ſeem to be legally adjudged againſt them by two Acts of Parliament. They were then in hopes that God would one day Re-eſtabliſh his Sacred Majeſty in a peaceable and entire Poſſeſſion of his Crown and Kingdoms, and conſequently reſtore to them their ancient Patrimonies, which they loſt upon the account of his Intereſt: But now, they behold his Majeſty ſeated in the Glorious Throne of his Anceſtors, and themſelves out of all hopes of ever enjoying their Eſtates, which are conferred on their (and his Majeſties) Enemies, by a final ſentence pronounced againſt them; and (which ſurpaſſeth all the miſery that can be Imagined) they are eternally condemned by a Meſſias, in whom they hoped for redemption, and for whoſe ſake they ſacrificed their lives, loſt their Fortunes, quitted their Countrey, and forſook all that was dear to them in this World: And this done by the corruption and covetouſneſs of two or three perſons, whereof one was the firſt Miniſter.

The extraordinary merit of this Nation in his Majeſties ſervice, was freſh in his Majeſties memory when he ſpake after this manto the Houſe of Peers, on the 27 *July*, 1660. Touching the Act of Indempnity; *I hope I need ſay nothing of* Ireland, *and that they alone ſhall not be without the benefit of my Mercy: They have ſhewed much affection to me abroad, and you will have a care of my honour, and what I have promiſed to them.*

My Lord, to paſs by Honour and Gratitude, (which ſome Statesmen little value) how ſhall we excuſe the Injuſtice of theſe proceedings? Suppoſe the Peace concluded in the year 1648. was invalid, and that his Majeſty received no ſervice abroad from any of the *Iriſh* Nation, can he in juſtice condemn 7000 Innocents, (before they are heard) inoffenſive Perſons, who never offended his Royal Father, nor himſelf: Let us ſuppoſe farther, that an Innocent perſon could not be found in all *Ireland*, that every individual of that Nation were an obſtinate Rebel from the beginning, and that none of them ever deſerved the leaſt favour from his Majeſty in point of Conſcience, Honour, or Gratitude; can our prime Miniſter and his adherents ſay, that ſo many thouſand Widows

rows and Orphans (though never so criminal) are not fit objects of his Majesties Compassion and Clemency?

That Kings are the Anointed of the Lord, and his Lieutenants on Earth, is an infallible truth received among Christians; and as they derive their power immediately from God, so they ought to imitate him in their Actions. But of all the Divine Attributes, his Mercy, as it is above all the rest of his Works, *Misericordia ejus supra omnia opera ejus*, so is it that alone which Princes are most concerned to follow. It is by this Heavenly Virtue, that good Kings have been always distinguished from Tyrants, and that they appeared to their Subjects as the very Images of Divinity. I do not think that the English Crown was ever worn by a Prince more Benign and Merciful than *Charles* the Second, I am confident there is no King now living on Earth, who hath given a larger Testimony of his natural propensity and inclination that way. How great then must be the Guilt of those Ministers of State that cunningly obstructed the effects of the Bounty and Clemency of so good and gracious a Prince towards an Innocent people; and perhaps not the least deserving of his Subjects? Their gettings by the Bills of Settlement spoils their plea, and pretence for the promotion of protestancy. It will seem a paradox to posterity, that the *Irish* Nation, which in all Insurrections hath been pardoned, and preserved by the Royal Bounty of Kings, meerly English should now be condemned to an eternal extirpation by a King of old *Irish* extraction (lineally descended from *Fergusius* a Prince of the Royal blood of *Ireland*) who of all the Kings that ever Regned in *England*, was most obliged to the *Irish* Nation, and that during the Reign of *Charles* the Second, (the most merciful Prince that ever wore a Crown) so many thousand Innocents should be exempted from a hearing, and others from a General pardon, which by a Mercy wholly extraordinary, doth extend to some of the very Regicides.

These are verities not to be doubted of in our dayes, which after Ages will hardly admit, seeing the like was never before Recorded in Annals, or mentioned in any History: For, since the Creation of *Adam* to this day (and perhaps our posterity to the Worlds end, may be as far to seek) we cannot produce another example of the like measure extended to a Christian people, under the Goverment of a most Christian Prince. The most bloody Ty-

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rants of former Ages, even thoſe Monſters of Nature, who ſeemed to be born for no other end, than the deſolation of Mankind, did never extirpate their old Friends, to make room for their reconciled Enemies: So that it muſt be a very difficult matter to perſwade thoſe who are not Eye-witneſſes of the Fact, that the Royal Authority of our Gracious King, which here in *England* maintains the Peer in his Splendor and Dignity, the Commoner in his Birth-right and Liberty, which protects the Weak from the oppreſſion of the mighty, ſecures the Nobility from the Inſolence of the people, and by which Equal and Impartial Juſtice is indifferently diſtributed to all the Inhabitants of this Great and Flouriſhing Realm; ſhould be at the ſame time made uſe of in his Kingdom of *Ireland*, to condemn Innocents before they are heard, to deſtroy ſo many thouſand Widows and Orphans, to confirm unlawful and uſurped poſſeſſions, to violate the publick Faith, to puniſh Virtue, to countenance Vice, to hold Loyalty a Crime, and Treaſon worthy of Reward. The bloody and covetous States-man who chiefly occaſioned all this diſorder, was very often heard to ſay, with a fierce countenance, and paſſionate tone, the *Iriſh* deſerve to be extirpated, and then he would (after his uſual manner) come out with a great Oath, and ſwear, they ſhall all be extirpated, Root and Branch. Good God, what a Heathen expreſſion is this in the mouth of a Chriſtian, who is expreſly commanded to love his Enemies? Does he think that the Divine Providence, which orders the growth of Herbs, the fall of Leaves, and appoints an Angel for the guard of every individual perſon, takes no care to preſerve an entire Body of a Nation? and that it ſhall be in the power of one man to deſtroy the work of God at his pleaſure; of ſuch a Man that could not prevent his own diſgrace, not avoid the many other inconveniences which are like to fall upon him.

This proud *Haman*, who, joyntly with ſome few others, to get Money for themſelves, and Eſtates for their Children) contrived the general extirpation of the whole *Iriſh* race; but before he could fully compaſs his wicked Deſign (I muſt confeſs he went very near to do it, and if God had given him a longer continuance of power he would undoubtedly make good his word) was forced for his own ſafety, and the preſervation of his life, to quit his fine Houſe, forſake his Family, and bid his Countrey farewel, and to travel

travel in his old age, in the dead of Winter, through so many dangers at Sea, and incommodities by Land, to seek for some shelter abroad, seeing he could not be secure at home *Justus es, Domine, & justum judicium tuum.* He is gone with all his Greatness, and the miseries of the poor *Irish* do still continue; however they are yet in being, and live in hope that the fall of their Mortal Enemy may be a beginning of their Rise, and that his Majesty will now seriously reflect upon the unparallel'd usage hitherto extended to that Nation, who are deprived of the Benefit of Law, Justice, and publick Faith: The cryes and tears of more than an hundred thousand Widows and Orphans, being worthy his Majesties Princely consideration. And certainly there can be no great difficulty met with to dissannul two illegal Acts, which are evidently repugnant, not only to the Law of God and Nature, contrary to the common reason, and consequently void in themselves) but also to all sound Policy and reason of State; For that the true Interest of *England* (as relating to *Ireland*) consists in raising the *Irish* as a Bulwark, or ballance, against our *English* and *Scotch* Presbyterians. The *Irish* Papists agreed so well, and lived so peaceably with our *English* Prelatiques, during the Reign of King *James*, and Seventeen years of King *Charles* the First, that they seemed to be of one mind in all matters: And when the Presbyterian practises and *Covenant* began to disturb these Kingdoms, the Papists and Prelatiques in *Ireland* (as well as in *England*) joyned their hearts and hands against Presbytery for the King. The great Earl of *Strafford* judged it was a true Protestant Cavalier Interest, to raise an Army of Papists in *Ireland* thereby to keep in awe the Presbyterians of *Scotland* and *England*. And indeed the Presbyterian designs could never have had been compassed, if the King had not been forced to disband the same Army. Then the Earl (now Duke of *Ormond* (thought it was the true *English* and Cavalier-Interest, joyn in Parliament with the *Roman* Catholick Nobility and Gentry of *Ireland*, against the Presbyterian Lords Justices, and their Faction; and therefore joyntly with them, resolved to secure their persons, and seize upon the Castle and Magazine of *Dublin*, for his Ma-

jesty ; But this their Design was quashed by an inconsiderate attempt of some Northern Gentlemen, which occasioned the late Rebellion and encouraged the presbyterian Lords, Justices to force the Kings Loyal Subjects into desperate Courses : But no sooner were the presbyterian Lord Justices deposed, and imprisoned by the Kings commands, but the *Romon* Catholicks, returned to their Duty, first by a Cessation, next by a submissive peace, delivering the whole Kingdom to the Duke of *Ormond*, and joyning with the Cavalier party against the Kings Enemies, and so continued untill both were over-powered by *Cromwel*.

Another reason why understanding men judge the *Irish* ought to be preserved, and their Interest preferred before that of *Cromwels* Creatures, is, that the *English* of *Ireland* are not able to defend themselves against the *Scots* in that Countrey ; If the *Irish* be Neuters. The *Scots* are a people so numerous, so needy, and so near unto *Ireland*, so cunning, close, and confederated in a common Interest, that some of our States-men apprehend, they may soon possess themselves of the whole Island, they being at this present, not only Masters of *Ulster*, but spread over the other provinces, and very well armed. Now, if despair should dictate to the destroyed *Irish*, that it is their conveniency to joyn with the *Scots* against the *English* that possess their Estates, without question the *English* Interest will be lost in *Ireland*. It is better therefore, that the *Irish* Nation be gained, by restoring them to their own (such only excepted as had their hands in murdering *English*) than that a few presbyterian and phanatick up-starts be made great by other Mens Estates, and the whole Kingdom endangered to be wrested out of our hands, and seperated from the Crown of *England*.

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You ſee, my Lord that there ſeems to be as little conveniency as Conſcience in my Lord *Clarendon's*, and his covetous partners Settlement of *Ireland*; yet I muſt confeſs this Domeſtick affair agreeth well with his policy in Foreign Negotiations. Until his time the Statesmen of *Europe* (particularly the *Engliſh*,) made it their buſineſs to keep the ſcales equal between *France* and *Spain*, leaſt either of thoſe two potentates might aſpire unto an Univerſal Monarchy; But the Earl of *Clarendon* made it his buſineſs to utterly deſtroy *Spain*, and exalt the *French* King to ſuch a height of power, that in a ſhort time he might be Maſter of the *Netherlands*, and find no oppoſition in his way into *England*; And indeed had not our Kings Conduct and Courage been extraordinary, in cloſing up a new Defenſive League ſo ſeaſonably, and in concluding a peace between *Spain* and *Portugal*, no part of *Europe* that is worth the Coveting, could be free from the *French* command. I hope, that as God hath inſpired his Majeſty to prevent (by this League and peace,) the dangers which corrupt Miniſters drew upon us, ſo He will move him to eſtabliſh a laſting peace in his Dominions, by a juſt repeal of the *Iriſh* Act of Settlement; And thereby to quaſh all the Deſigns againſt *England*, That *France* or any Foreigner may endeavour to ground upon the diſcontents of a deſtroyed, and deſperate people.

Now, my Lord, that you have had this account of the tranſactions in *Ireland* ſince his Majeſties Reſtauration, it were an act worthy your Lordſhip (being a leading Member in the Houſe of peers in *England*, and much relyed upon in the Houſe of Commons (to make it your requeſt to his Majeſty, that the Buſineſs of *Ireland* may receive one publick hearing, and all parties concerned appear by their Agents, which if your Lordſhip prevail to get done, if the Settlement as it is now Eſtabliſhed, be deemed Juſt, will be happy for the poſſeſſours, and take away all Calumnies that the *Iriſh* do over all the

World caſt on the Managers of that Settlement; But if it appear not to be a juſt Settlement, then Juſtice in ſo high a degree will become the King, and his Higheſt Court, and will evidence the Truth or *Nullitie* of what hath been here been offered to your Lordſhip, by,

My Lord,

Your Lordſhips moſt Faithful

and moſt Humble Servant

F. D.

FINIS.